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Dated: February 23, 2005

Signature:

*William K. Merkel*  
(William K. Merkel)

Docket No.: 27373/36638A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ralph Weichselbaum et al.

Application No.: 09/964,042

Art Unit: 1635

Filed: September 26, 2001

Examiner: J. E. Angell

For: TREATMENT OF TUMORS WITH  
GENETICALLY ENGINEERED HERPES  
VIRUS

**RESPONSE TO OFFICE COMMUNICATION OF FEBRUARY 17, 2005**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Office communication dated February 17, 2005. This response is timely filed prior to the one-month deadline of March 17, 2005.

**Amendments to the Specification:** None.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.